

ERIE COUNTY LEGISLATURE

BARBARA MILLER-WILLIAMS
Legislator - 1st District

MEMBER:

Government Affairs Committee
Finance & Management Committee
Health & Human Services Committee



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January 7, 2015

Erie County Legislature
Attn: Ms. Karen M. McCarthy, Clerk
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Dear Ms. McCarthy:

Attached for Clock-In to the public record of the Erie County Legislature, please find the Roswell Park Cancer Institute Memorandum of Support to make electronic cigarettes subject to all current smoking laws.

Thank you for your assistance in this matter.

Sincerely,

Barbara Miller-Williams
Erie County Legislator
District 1

“We are here to serve the Community”

Comm. 2E-28



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UNDERSTAND PREVENT

Roswell Park Cancer Institute

Memorandum of Support Make Electronic Cigarettes Subject to all Current Smoking Laws

Roswell Park Cancer Institute located in Buffalo, New York and the only National Cancer Institute-designated comprehensive cancer center in Upstate New York, **STRONGLY SUPPORTS** this proposed law which will make restrictions relating to smoking in public areas applicable to electronic cigarettes.

There is reason to be hopeful about the electronic cigarette's potential to reduce the disease burden caused by tobacco, but there are also reasons to be concerned about unintended exposures, especially to non-users. Electronic cigarettes and the industry that manufactures them are completely unregulated. Despite industry claims, research conducted here in Roswell Park Cancer Institute labs has shown that e-cigarettes are not emission free. Electronic cigarette emissions include nicotine, acrolein (which is commonly used as a weed killer), the embalming agent formaldehyde and the cancer causing chemical and irritant acetaldehyde. Additionally, these emissions have been shown to contain harmful carcinogenic metals like cadmium, nickel, and lead.

As highlighted in a recent New York Times article titled *"China's E-Cigarette Boom Lacks Oversight for Safety"*, the lack of regulation of these devices has allowed for a large counterfeit market in the United States. The potential chemical and heavy metal exposure to users and non-users from these counterfeit products are even higher.

While the amount of chemicals generated from electronic cigarettes are less than we see with traditional cigarettes, these chemicals are still present. Just because e-cigarettes produce less poison than cigarettes do, it does not mean that secondhand vapor is safe.

Unless individual locations have implemented individual policies prohibiting them, electronic cigarettes can be used in all public places and workplaces, including schools, churches, restaurants, shopping centers and movie theaters, playgrounds, hospitals, and bars though combustible cigarettes and cigars are prohibited under the Clean Indoor Air Act.

Additionally, the increasing use of electronic cigarettes publicly has led to confusion about existing laws and threatens the impact and intent of the Clean Indoor Air Act. The use of e-cigarettes makes it difficult for business owners and officials to enforce existing smoke-free air laws as their close resemblance to traditional cigarettes may cause confusion and lead people to believe that it is legal to smoke in smoke-free environments.

For these reasons Roswell Park Cancer Institute supports measures to prohibit the use of electronic cigarettes in the same public places where combustible tobacco cigarettes are prohibited.

The proposed county law does not restrict an individual's ability to purchase or use electronic cigarettes, but instead protects non users from second hand exposures in public settings.